

REMARKS

Claims 1-27 are pending. By this Amendment, claims 1 and 18 are cancelled, claims 2, 3, 16, 19, 20 and 27 are amended and no new claims are added.

The Examiner objected to the specification for an informality at page 4 line 2. The Examiner objected to the drawings because reference numbers 10 and 12 were both used to designate the ice blade. In response the applicant has corrected the specification as set out above.

The Examiner objected to the drawings because reference numbers 72 and 76 were not shown. The Applicant finds 72 on Fig. 10 of the drawings, and requests further clarification if this is not just an error. The Applicant has deleted 76 from the specification as set out above.

The Applicant notices a further error at [0030] where "PW" should read "WP" and has taken this opportunity to correct that error as set out above.

The Examiner rejected claims 1 - 27 under 35 U.S.C. 103(a) as being unpatentable over Zamboni in view of Rzechula or Canadian 2389770 and 2394085 to Buchko et al.

In response the Applicant has cancelled claims 1 and 18 and rewritten claims 2 and 19 in independent form. The claims now include the limitation that the blade guides are operative to prevent movement of the ice blade away from the blade bar when the ice blade is in the operating position.

The Applicant respectfully submits that claims 2 and 19 are not obvious. Zamboni discloses an ice conditioning machine with a blade bar and ice blade mounted to the blade bar with screws. Zamboni does not show or suggest magnetic means for mounting the ice blade to the blade bar.

The Examiner states that Rzechula and Buchko teach magnetic means for holding two structures together.

Rzechula discloses a spreader attachment for an ice conditioning machine, and states at column 3 lines 9-16:

“The cooperating structure on the spreader element and support bar may take any of a number of different forms. For example, cooperating magnets, VELCRO-type strips, etc. can be utilized. It is only necessary that the attraction between the spreader element and support bar be sufficient to hold the spreader attachment in a relatively fixed position during operation of the ice resurfacing machine.”

and at column 6 lines 4-12:

“For example, magnets could be provided on one of the towel 60 and strap 70 to attract a metal element on the other of the towel 60 and strap 70. The important aspect of the fasteners is that they permit assembly and disassembly of the towel 60 by simply pressing the towel 60 against the strap 70 or supporting bar 36 and removal of the towel 60 by drawing the towel 60 rearwardly away from the support bar 36 or strap 70.”

Rzechula does not disclose anything like the blade guides of the present invention, simply stating that Velcro™ and magnets would equally do the required function which is to allow the towel to be removed simply by drawing the towel rearward. It is also quite clear that precise positioning of the towel is not required, and so there is no need for any “guide”. The Applicant respectfully submits that a person skilled in the art would not be prompted by Rzechula to modify Zamboni by attaching the blade to the blade bar with magnets, since there would be nothing to prevent the blade from sliding when a force is exerted thereon such as when in operation.

Canadian 2389770 and 2394085 to Buchko correspond to United States Patent Number 6,889,491 and for convenience the Applicant refers below to sections of that patent rather than the Canadian prior art.

Buchko discloses a magnetic attachment of a reel type mower blade, and states in '491 at column 4 lines 44-54:

“While preventing sliding movement, the engagement means, illustrated as pegs 26 in holes 28, and as ridge 30, but also including other means, also allows the bed knife 18 to move away from the magnets 20 when a separating force is exerted on the bed knife 18 in a direction away from the magnets 20 that is greater than an attractive force exerted on the bed knife 18 by the magnets 20 when the bed knife 18 is in the operating position. While allowing the bed knife 18 to be easily removed by prying it away from the bed bar 16, this configuration also allows the bed knife to release from the bed bar 16 when an obstruction is encountered.”

Thus a key function of the Buchko machine is that the blade can move away from the magnets mounted in the blade bar when a separating force is exerted on the bed knife, such as when an obstruction is encountered which is common when mowing grass. The Applicant respectfully submits that Buchko thus teaches away from the present claims, by teaching that the blade must be able to release from the blade bar when an obstruction is contacted.

Further the Applicant respectfully submits that modifying the machine of Buchko by preventing movement of the blade away from the blade bar when the blade is in the operating position would thus destroy one of the stated functions of the Buchko, as set out in '491 at column 3 lines 18-22:

“The magnetic attachment also reduces maintenance costs by allowing the bed knife to be pulled away from its magnetic attachment and released from the bed bar when an obstruction such as a rock or the like is encountered. Damage to the reel and bed knife is thereby reduced.”

The Applicant therefore respectfully submits that a prima facie case for obviousness has not been demonstrated by the Examiner, and requests that the rejections be withdrawn.

Applicant has made an earnest effort to be fully responsive to the Examiner's objections and believes that Claims 2-17 and 19-27, as amended herein, are in condition for allowance. The Applicant solicits the allowance of Claims 2-17 and 19-27.

If, however, the Examiner should for any reason consider this application not to be in condition for allowance he is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

In view of the foregoing, it is submitted that this application is in condition for allowance. Favorable consideration and prompt allowance of the application are respectfully requested.

The Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,



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